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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,115	06/20/2003	John S. Doleac	99-881CON1	9783

7590 03/09/2006

Leonard Charles Suchyta, Esq.
C/o Christian Anderson
Verizon Corporate Services Group Inc.
600 Hidden Ridge HQE03H01
Irving, TX 75038

EXAMINER

FLEURANTIN, JEAN B

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/600,115	Applicant(s) DOLEAC ET AL.	
	Examiner JEAN B. FLEURANTIN	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28 30, 32, 36-39, 41, 45-48, 50 and 54-66 is/are rejected.
- 7) ☒ Claim(s) 31,33-35,40,42-44,49 and 51-53 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/19/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Preliminary Amendment

1. This is in response to the preliminary amendment filed on 6/19/03.

i.) Claims 1-27 have been canceled.

ii.) Claims 28-66 have been added.

iii.) Claims 28-66 are presented for examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 6/19/03. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

3. The Examiner accepts the Drawings.

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Response to Arguments

4. Applicants stated that "cancel claims 1-27 and add new claims 28-66 prior to examination. Support for the claim amendments and the new claims can be found throughout the original application. The claim amendments and the new claims do not provide any new matter." Claims 28-66 have been entered and the Examiner discusses the limitations of the new claims 28-66 in the analysis as indicated in section 6.

Double Patenting

5. Claims 28-66 are rejected on the ground of nonstatutory double patenting over claims 1-24 of U. S. Patent No. 6,636,877 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows:

US Pat. No. 6,636,877	Application No. 10/600,115
A method executed in a computer system of verifying generated commands, the method comprising;	A method executed in a computer system of verifying generated commands, the method comprising;
providing first commands generated by a first system;	providing first commands generated by a first system;
generating a subset of the first commands generated by the first system;	generating a subset of the first commands generated by the first system;
recording the subset of the first commands in a log file, the first commands being associated with at least one switch type;	providing data used by a second system to generate second commands; and
sorting the subset of the first commands by switch type;	
providing data used by a second system to generate second commands; and	
for a switch type in the log file, determining whether the data used by the second system corresponds to first commands associated with the switch type, wherein a correspondence between the data and the first commands is indicative of the second system being capable of generating at least one second command equivalent to first commands associated with the switch type.	determining whether said data used by said second system corresponds to first switch commands included in said subset, wherein a correspondence between said data and said first commands is indicative of the second system being capable of generating at least one second switch command equivalent to first switch command including in said subset.

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Thus, the application claimed by deleting steps of sorting the subset of the first commands by switch type would have been obvious to the patent claimed for a switch type in the log file.

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 28-30, 32, 36-39, 41, 45-48, 50 and 54-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornell et al., US Pat. No. 4,599,490 ("Cornell") in view of Rekieta et al., US Pat. No. 6,230,164 ("Rekieta").

As per claims 28, 37, and 46, Cornell substantially discloses "a method executed in a computer system of verifying generated commands" (i.e., group of commands is exchanged between the telecommunication switch and the telecommunication control complex; see col. 3, lines 50-53), the method comprising:

"providing first switch commands generated by a first system" (i.e., telecommunication switch controller adapted to generate and receive the primitive commands; see col. 4, lines 2-15);

"generating a subset of said first switch commands generated by said first system" (i.e., telecommunication switches being connected to subsets of said pluralities of first communication link; see col. 23, lines 59-65); and

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“providing data used by a second system to generate second switch commands” (i.e., second telecommunication switch connects to controller to provide interswitch links (second switch); see col. 17, line 51 to col. 18, line 10).

Cornell fails to explicitly disclose determining whether said data used by said second system corresponds to first switch commands included in said subset, wherein a correspondence between said data and said first commands is indicative of the second system being capable of generating at least one second switch command equivalent to first switch command including in said subset. However, Rekieta discloses determining whether said data used by said second system corresponds to first switch commands included in said subset, wherein a correspondence between said data and said first commands is indicative of the second system being capable of generating at least one second switch command equivalent to first switch command including in said subset (see Rekieta col. 4, lines 38-50).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Cornell with determining whether said data used by said second system corresponds to first switch commands included in said subset, wherein a correspondence between said data and said first commands is indicative of the second system being capable of generating at least one second switch command equivalent to first switch command including in said subset as disclosed by Rekieta (see Rekieta Fig. 1a). Such a modification would allow the teachings of Cornell to improve the accuracy and the reliability of the method for analyzing the quality of telecommunications switch command tables, and to provide an efficient system for modifying the GTTs associated with various subsystems in the AIN (see Rekieta col. 17, lines 54-55).

As per claims 29, 38 and 47, Cornell substantially disclose “the actual commands are successfully executed commands” (i.e., the use of such primitive commands permits any modern program-controlled telecommunication switch to be readily adapted to communicate in a standard way with and to be responsive to commands from a telecommunication control complex; see col. 3, lines 54-59).

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As per claims 30, 39 and 48, the limitations of claims 30, 39 and 48 are rejected in the analysis of claim 1, and these claims are rejected on that basis.

As per claims 32, 41 and 50, in addition to claim 1, Cornell further discloses "determining a list of switch identifiers" (i.e., an identity code associated with a telecommunication unit from the telecommunication network; see col. 2, lines 63-66). Cornell fails to explicitly disclose said second system into at least one hash table. However, Rekieta discloses said second system into at least one hash table (see Rekieta col. 9, lines 34-36).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Cornell with said second system into at least one hash table as disclosed by Rekieta (see Rekieta Fig. 2). Such a modification would allow the teachings of Cornell to improve the accuracy and the reliability of the method for analyzing the quality of telecommunications switch command tables, and to provide an efficient system for modifying the GTTs associated with various subsystems in the AIN (see Rekieta col. 17, lines 54-55).

As per claims 36, 45 and 54, Cornell discloses "said data used by said second system are stored in a database used by said second system, and wherein said data include at least one command parameters and programs used to generate second switch commands" (see col. 17, line 51 to col. 18, line 6).

As per claims 55, 59 and 63, Cornell substantially discloses "a method of verifying switch commands for telecommunication network" (i.e., group of commands is exchanged between the telecommunication switch and the telecommunication control complex; see col. 3, lines 50-53), the method comprising:

"obtaining from a first system executable switch commands for telecommunications network" (i.e., telecommunication switch controller adapted to generate and receive the primitive commands; see col. 4, lines 2-15);

"providing data used by a second system to generate second executable switch commands for the telecommunications network" (i.e., second telecommunication switch connects to controller to provide interswitch links (second switch); see col. 17, line 51 to col. 18, line 10); and

"comparing the first executable switch commands with the data used by the second system" (i.e., telecommunication switches being connected to subsets of said pluralities of second communication link; see col. 23, lines 59-65).

Cornell fails to explicitly disclose based on the match between a first executable switch commands and the data used by the second system, identifying the matched first executable command as being coded by data used by the second system to generate a second executable switch command telecommunication network. However, Rekieta discloses based on the match between a first executable switch commands and the data used by the second system, identifying the matched first executable command as being coded by data used by the second system to generate a second executable switch command telecommunication network (see Rekieta col. 4, lines 38-50).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Cornell with based on the match between a first executable switch commands and the data used by the second system, identifying the matched first executable command as being coded by data used by the second system to generate a second executable switch command telecommunication network as disclosed by Rekieta (see Rekieta Fig. 1a). Such a modification would allow the teachings of Cornell to improve the accuracy and the reliability of the method for analyzing the quality of telecommunications switch command tables, and to provide an efficient system for modifying the GTTs associated with various subsystems in the AIN (see Rekieta col. 17, lines 54-55).

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As per claims 56, 60 and 64, in addition to claim 1, Cornell further discloses “means for recording at least one portion of the first executable switch commands in a log file, the at least one portion based on the switch type” (see col. 22, lines 45-54). Cornell fails to explicitly disclose said a hash table. However, Rekieta discloses a hash table (see Rekieta col. 9, lines 34-36).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Cornell with a hash table as disclosed by Rekieta (see Rekieta Fig. 2). Such a modification would allow the teachings of Cornell to improve the accuracy and the reliability of the method for analyzing the quality of telecommunications switch command tables, and to provide an efficient system for modifying the GTTs associated with various subsystems in the AIN (see Rekieta col. 17, lines 54-55).

As per claims 57, 61 and 65, the limitations of claims 57, 61 and 65 are rejected in the analysis of claims 1 and 56, and these claims are rejected on that basis.

As per claims 58, 62 and 66, Cornell discloses “the at least one character includes at least one of a null character, a comma, and a blank character” (see col. 14, lines 60-66).

Allowable Subject Matter

6. Claims 31, 33-35, 40, 42-44, 49 and 51-53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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CONTACT INFORMATION

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is 571 – 272-4035. The examiner can normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571 – 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




Jean Bolte Fleurantin

Patent Examiner

Technology Center 2100

February 14, 2006



SHAHID ALAM
PRIMARY EXAMINER